

### **Remark**

Applicants respectfully request reconsideration of this application as amended. No claims have been amended. No claims have been cancelled. Claims 28-33 are new. Therefore, claims 1-33 are present for examination.

### **35 U.S.C. §103 Rejection**

#### ***Dunn***

The Examiner has rejected claims 1-10 and 15-27 under 35 U.S.C. §103(a) as being unpatentable over Dunn, U.S. Patent No. 5,945,987 ("Dunn"). Dunn (2:67 et seq.) states that the video-on-demand application enables a user to select a group of programs...based upon a specified criteria. The criteria is preferably presented as scrollable lists which the viewer can manipulate to select a certain criteria.. In one example implementation, two lists can be presented simultaneously; a star list and a title list. The star list is first displayed, and upon selection of a star, a second list of movie titles in which the selected actor appears is displayed. In more detail, (8:43) upon selection of a star name, the user interface user sends the star ID to the head end to use as a query for searching the program information SQL database. The database returns a list of movies in which the selected star has performed.

Claim 1, for example, recites, obtaining a record corresponding to a first entertainment selection. Dunn suggests a scrollable list of criteria. These scrollable lists have nothing to do with any particular show, they are lists of all the values for the corresponding field in the SQL database at the head end. Claim 1 further recites, presenting a first set of entertainment system data in the obtained record corresponding to the first entertainment selection on a display device. Dunn's scrollable list does not correspond to any

particular entertainment selection, nor to a selection for which a record was obtained. It is a list of values for all records in the SQL database at the head end. Claim 1 further recites, presenting a selectable identifier corresponding to the first set of entertainment system data on the display device. Dunn's scrollable list does not correspond to a first entertainment selection as does the data recited in the claim.

Claim 1 recites, performing a search for a second entertainment selection having a corresponding second set of entertainment system data related to the first set of entertainment system data when the selectable identifier is selected. Dunn suggests that a search for an actor be performed and that the search present a list of titles of films for the selected actor (3:9), however, there is no first entertainment selection from which the second entertainment selection can be found. Accordingly, Dunn does not suggest the limitations of Claim 1. In addition, Dunn lacks a significant advantage of the present invention as defined in Claim 1, in which a first selection is found, then based on the data for the first selection, a second selection is found. In the illustrated embodiment, the user simply clicks on the name of a star in the displayed selection and a list of movies is generated. This is significantly more convenient than the process in Dunn. In Dunn, the user must go from a displayed selection to a list and find the actor on the list, then select that actor. The search result is based on a list not on a previous selection.

The Examiner asserts that it is well known in the art for a user to be able to select the actor and to have a second selection by the same actor displayed. To the extent that the Examiner is suggesting that it is well known to select an actor from a display about one particular film and have a second film for the same actor displayed, then 1) this is not in the reference, 2) this is not supported by any art of record, and 3) this is essentially the same

unsupported argument from which Applicants appealed. Accordingly, Applicants respectfully request that this rejection be withdrawn. All of the application claims contain limitations similar to those discussed above with respect to Claim 1 and accordingly are believed to be allowable over Dunn.

### **35 U.S.C. §103 Rejection**

#### ***Williams***

The Examiner has rejected claims 11-14 under 35 U.S.C. §103(a) as being unpatentable over Williams et al., U.S. Patent No. 6,157,411 ("Williams"). The Examiner acknowledges that Williams does not teach the features of the system control agent as recited in Claim 11 but asserts that such a system control agent would be obvious. The only support for this argument is that such a modification would allow a user to do what the system control agent provides. This is a circular argument that cannot be used to support a prima facie case of obviousness. The Examiner has still failed to provide any references to support this position. Accordingly, Applicants further request that this rejection be withdrawn with respect to all of Claim 11-14.

### **Conclusion**

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

### **Request for an Extension of Time**

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

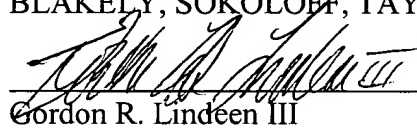
### **Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 11/21/11



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**Version with Markings to Show Changes Made**  
**Insertions are underlined, deletions are stricken.**

28-33. (New)